

HEATHER E. WILLIAMS, #122664
Federal Defender
NOA EVA OREN, #297100
Assistant Federal Defender
801 I Street, 3rd Floor
Sacramento, CA 95814
Tel: 916-498-5700/Fax 916-498-5710
Noa_oren@fd.org

Attorney for Defendant
ANTWAUN PARNELL

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 2:05-CR-0161-02-KJM
)	
Plaintiff,)	
)	SENTENCING MEMORANDUM
vs.)	
)	
ANTWAUN PARNELL,)	Date: November 5, 2014
)	Time: 9:00 a.m.
Defendant.)	Judge: Hon. Kimberly J. Mueller
)	
)	

Due to Mr. Parnell's uncles' serious health problems, Mr. Parnell respectfully requests the Court sentence him to six months of electronic monitoring with a condition that he be subject to daily sobriety testing and then terminate his supervision. Mr. Parnell's period of federal supervision was set to expire in early December 2014.

On September 2, 2014, Mr. Parnell pleaded no contest to a violation of the California Vehicle Code for driving under the

1 influence. Mr. Parnell's plea to the state code violation and
2 the conduct underlying that plea form the basis for this
3 violation. In his state case, Mr. Parnell received a sentence
4 that included: ten days of incarceration, four years of
5 probation, and, most importantly, an eighteen-month alcohol
6 treatment program. Mr. Parnell has a profound understanding
7 that his abuse of alcohol is a serious problem which he must
8 address immediately. Currently, he is in the process of
9 arranging a treatment program in connection with his state case.
10

11 On October 9, 2014, Mr. Parnell was arraigned on the
12 violation in the above-captioned case. He has been incarcerated
13 since October 9, 2014. Shortly after Mr. Parnell's arrest, his
14 mother called counsel to explain that both of her brothers are
15 in the hospital. Mr. Parnell is quite close with his uncles.
16 Currently, the most critical issue in the Parnell household is
17 that one of Mr. Parnell's uncles is gravely ill. As Mr. Pajcin
18 noted in his dispositional memorandum, Mr. Parnell's uncle is on
19 a ventilator at the University of California, Davis Medical
20 Center. Mr. Parnell respectfully requests that the court permit
21 him to be with his family at this time in order to support them.
22

23 Although Mr. Parnell has made a grave error, he has taken
24 responsibility for the error immediately. This is Mr. Parnell's
25 second violation related to alcohol abuse while on supervision.
26 In order to protect the public, Mr. Parnell respectfully
27 requests the Court provide him with the opportunity to
28

1 participate in the state's eighteen-month alcohol treatment
2 program, which will serve as the most effective deterrent to him
3 reoffending. It does not appear that additional jail time will
4 serve a deterrent function in this case because lengthy
5 incarceration has not improved Mr. Parnell's substance abuse
6 issues to date.

7
8 Mr. Parnell has already learned a hard lesson by being
9 separated from his family during these difficult times. He has
10 been unable to provide emotional or financial support to his
11 family for the past few weeks. That separation has caused his
12 mother a lot of anguish, which has strongly affected Mr.
13 Parnell. Based on his family's situation, six months of
14 electronic monitoring with daily sobriety tests will provide a
15 just punishment to Mr. Parnell, especially when considering that
16 his federal sentence will augment his punishment in state court.
17

18 HEATHER E. WILLIAMS

19 Federal Defender

20 Dated: October 20, 2014

/s/ N. Oren

NOA EVA OREN

Assistant Federal Defender

Attorney for ANTWAUN PARNELL